

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

DAN JACOBSON,)	USDC of Massachusetts Case No
)	05–CV-10664-MEL(Superior
Plaintiff,)	Court for Middlesex County
)	Civil Action No. 05-0060)
)	
v.)	
)	
CVS, INC.)	
)	
Defendant.)	

**PLAINTIFF DAN JACOBSON’S MOTION FOR REMAND TO STATE COURT OR
FOR A DISCOVERY ORDER; AND REQUEST FOR SANCTIONS AGAINST
DEFENDANT CVS CORPORATION FOR IMPROPER REMOVAL**

NOW COMES YOUR PLAINTIFF Dan Jacobson and hereby MOVES this
HONORABLE COURT to enter its order REMANDING this action to the Superior Court of the
Commonwealth of Massachusetts, Middlesex County, or its ORDER setting a discovery schedule
relating to jurisdiction, and states as his reasons therefor that the matter does not meet federal
jurisdictional requirements respecting diversity of citizenship or amount in controversy, as is
more fully set out in the accompanying memorandum.

RESPECTFULLY SUBMITTED,
DAN JACOBSON. PLAINTIFF
BY HIS ATTORNEY

Paul H. Merry, Esq.
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CERTIFICATE OF SERVICE

I, Paul H. Merry, hereby certify that the foregoing pleading was served on the defendant herein on _____ by mailing photocopies thereof, first class mail, postage prepaid, to its counsel of record.

Paul H. Merry

DATED: